



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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April 27, 1998

James L. Warlaumont
Appel & Warlaumont, L.C.
1100 Boston Building
9 Exchange Place
Salt Lake City, Utah 84111

Re: Request for Transcripts to Be Included in the Record on Appeal

Dear Mr. Warlaumont:

The transcripts for the Board's Docket Number 95-025 will be included in the record. In the Order for this matter dated March 6, 1998, the Board incorporates by footnote the entire case record including the transcripts for the prior case, Docket Number 94-027:

'The Prior Case Record, abbreviated for citation purposes in this Order as "Prior R.", is hereby incorporated by this reference into the official administrative Record in this case.

The transcripts for the Informal Hearing held October 17, 1996, November 8, 1996, and February 28, 1997 were never received as evidence in Docket Number 95-025. Documents from the Informal Hearing are included in the record on appeal if they were included as attachments to pleadings. Further, the Board states on page 60 in its March 6, 1998 Order, "This Order is based exclusively on evidence of record in the adjudicative proceeding or on facts officially noted,..." Based on the foregoing, the request to have the transcripts from the Informal Hearing included in the record on appeal is hereby denied.

Sincerely,

Lowell Braxton
Acting Director

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cc: P. O'Hara
D. Moquin